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English lawyers. The current findings of psychology cannot but influence law and this is no less true when the field is extended to society. Social psychology blends into sociology. The same is true of political science and political economy, particularly of the former. The science of law cannot be isolated from these social sciences, for it is itself a social science and subject to every movement of opinion and to every change in social conditions.

That jurisprudence is not static but subject to periodic changes is shown by the professor's successive chapters upon the rationalists, like Bentham, the nationalists, like Savigny, and the evolutionists, like von Ihering. Each school was the embodiment of the dominant spirit of the period, and each made contribution to a progressive jurisprudence.

After evaluating the legalistic tendencies of the present age the author delves into the remote past for the roots of historical jurisprudence. This he does by the aid of anthropological inquiries collected from all parts of the world. His scheme for the series involves the systematic treatment of the following subjects: 1. Origin in totemistic society, 2. Tribal law, 3. Civic law, 4. Medieval law in its combination as canon and feudal law, 5. Individualistic jurisprudence, and 6. Beginnings of socialistic jurisprudence. The sub-title of the present volume is "Tribal Law" though several chapters belong to the first division of his scheme.

It is strange enough to begin historical jurisprudence with the selection of mates in a period long antedating history. Yet the *patria potestas* of the Roman law is a development from still earlier custom and is the better understood when seen as a stage in the progress of civilization. Out of the patriarchal household grew the joint family, with its expansion into the clan and the tribe. The tribe was a confederation of related clans. Between these clans there was arbitration, just as now international law is a body of rules created by agreement. Criminal and civil procedure began to develop at a time when the element of public compulsion was absent. As in international law today so in tribal law there were incomplete sanctions. Self-

help was recognized but regulated. When private execution failed the public sanction or outlawry was resorted to. Closely connected with the patriarchal household and the joint family were succession and inheritance. Of chattels in pre-Christian time the dead man's share was buried or burned with the body, but later the Church was intrusted with this share to spend for the good of his soul. The remaining chattels were capable of equitable division, but a farm was regarded as an organic entity to which personal sharing was not appropriate. Indeed land tenure had its origin in tribal ownership rather than in strictly personal ownership. This tribal ownership developed into communal, out of which grew the open-field system, once universal in Europe, just as this in time was displaced by a more scientific agriculture and more individualistic legal theory. The Roman civil law, German private law, and the English common law all find the key to their understanding in the tribal law so different from the ideal creations of Bentham and Austin.

This work of a cosmopolitan scholar marks a distinct stage of progress from the pioneer work of Professor Main, *Ancient Law*, but it lacks the charm of that classic.

C. H. MAXSON.

FINER, HERMAN. *Foreign Governments at Work*. Pp. 84. Oxford University Press, 1921.

This brief booklet of eighty-four pages aims to give for study classes a summary of the outstanding features of the government of France, Germany and the United States. The author holds that institutions are alike the world over, mainly through imitation. The Declaration of Independence and the movement for political rights which followed, swept the world; everywhere parliaments were formed. So also the great drive for economic democracy has already spread over wide sections in Whitley Councils, Works' Councils and Soviets. With these two standards of political and economic democracy in mind, the author examines briefly the government of each of the countries named. Although it seems well nigh impossible to do so in eighty

pages, he gives us a fairly intelligible and useful impression of both the mechanics and the spirit of each government. His tone is impartial, his judgment fair and his style interesting. The booklet is by far the best and most useful survey of the subject thus far offered in such brief compass.

HASKINS AND LORD. *Some Problems of the Peace Conference*. Pp. 307. Price, \$3.00. Harvard University Press, 1920.

Of all the books relating to the Paris Conference, the volume published by Professors Haskins and Lord gives the clearest insight into the problems confronting the Conference and the difficulties encountered in their solution. Whether dealing with Alsace-Lorraine, the Rhine and the Saar, Poland, Austria, or Hungary, there is evident in every chapter the broad grasp of the thorough historical student, as well as a keen insight into the larger political elements of the situation. No other book gives so clear a view of the difficulties confronting the American Delegation to the Peace Conference in endeavoring to secure an equitable settlement.

JONES, CHESTER LLOYD. *Mexico and Its Reconstruction*. Pp. x, 319. Price, \$3.50. New York: D. Appleton & Co., 1921.

The past few years have witnessed a flood of books on Mexico. Of those in English, the discerning reader might count upon the fingers of one hand all that he thought worth while. If he did so, he could hardly omit the present volume. Yet it owes its inception and its subject matter to sources that are often charged with insidious propaganda against the well-being of our southern neighbors.

Some four years ago a prominent oil producer financed a project for a careful study of the "Mexican problem." A foundation thus supported would naturally be termed capitalistic in its leanings, and its work was also hampered by the not unnatural ill-favor shown by the Mexican executives of that day. Yet the men and women who worked under its auspices succeeded in bringing together a mass of valuable material as a result of their researches in libra-

ries and government repositories, from personal interviews, and by means of brief visits to Mexico itself. Some of this would serve as an excellent antidote to better-known partisan investigations, but, unfortunately, much of it has not yet been utilized. The few volumes that have appeared, like the present, show that the promise of the sponsor to give the individual writers perfect freedom to express the truth as they see it has been carried out. It is well to note this fact because in other instances ill considered charges to the contrary have too readily been made.

The content of the present volume is predominantly economic. It is essentially "practical," closely resembling the author's companion book dealing with Carribean lands. Its table of contents shows that he has made excellent use of the resources of the foundation. None of the chapters are general in character, but the first two serve to introduce the others. Three are devoted to the government of the country and as many to its finances. The Mexican laborer is given four, in all of which his economic status is emphasized, and an equal number treat of commerce, transportation and industry. Of those remaining, one deals with colonization, two with the foreigners, one with border problems, past and present (but not those involving to any extent the deeper human elements), and one with the general relations between Mexico and the United States.

The author tells a straightforward story and he is not unduly didactic or distressingly pessimistic. He has no sovereign remedy for Mexico's ills, but he makes clear what many of them are. He presents few conclusions and those largely by indirection. His data will not permit much else. His footnotes and bibliography show a definite purpose to master the details of his subject, and he packs these details into his chapters in surprising abundance. His book will prove a valuable storehouse of information for the phases that he emphasizes, and, within the economic limits that he has set for himself, a welcome guide. A good index and a small map showing the political divisions and productiveness of Mexico add to its usefulness.

ISAAC J. COX.